

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
Office of Business Liaison

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DISCUSSION OF COMMON INS DOCUMENTS

Of the six (6) documents that remain on the list of documents that establish both identity and employment eligibility (List A on reverse side of Form I-9) after the interim rule of September 30, 1997, three are most commonly presented to employers:

- 1. Resident Alien Card (INS Form I-551), commonly called a “Green Card”**
- 2. Employment Authorization Document (INS Forms I-688B and I-766), commonly called “EAD’s”**
- 3. Arrival-Departure Record (INS Form I-94)**

These three documents are discussed and depicted on the following pages. In addition, some features of the two types of Resident Alien Cards currently in circulation are depicted in detail. Information about other acceptable documents **not** discussed in this bulletin, or about changes that may occur in the Lists of Acceptable Documents, is also available to employers from this office. Neither the law nor the INS expects or encourages employers to become document experts. However, basic awareness of the documents will reduce the opportunity for -- and effects of -- the use of false documents to gain employment.

Note to Employers: This information is intended for persons who understand the responsibility of employers for completing and retaining Forms I-9 to demonstrate that they have verified the employment eligibility of all employees, regardless of citizenship or national origin. Persons who use this information are assumed to have read and understood INS publication M-274, the ***Handbook for Employers***. Employers who wish to order copies of this and other INS publications relating to employment may do so through this office using contact information that appears in the heading above.

Caution: Document review must not take place until after an offer of employment has been made by the employer and accepted by the employee. Additionally, although an employer may be more familiar with a given document, he or she may not demand that an employee present that document in order to establish identity and work authorization. It is the right of the individual employee to choose which document(s) to present to the employer.

The employee completes Section 1 of the Form I-9 *in full*, indicating current status or current, unexpired work authorization. Once this has been done, if the document(s) that an employee chooses to present to satisfy Section 2

- *appear(s) on the Lists of Acceptable Documents (see modifications in Employer Bulletin 99-102),*
- *appear(s) genuine, and*
- *appear(s) to have been issued to the person who presents it,*

the employer *must* accept the employee as eligible to work.

List A #10	UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENT, INS FORM I-688B OR I-766, WITH PHOTOGRAPH
Common name	“EAD”
Issued to	This card is issued to aliens for several different purposes. Common categories of EAD holders include aliens awaiting adjustment of status, asylees, fiance(e)s in K-1 status, aliens granted Temporary Protected Status or Deferred Enforced Departure, aliens pending deportation, and F-1 students engaged in optional practical training.
Key information	<p>Two versions of the “EAD” are currently in circulation: INS Form I-688B and I-766 (see depictions and descriptions of these cards in this bulletin. Issuance of the I-766 began in February 1997. Since that time, it functions as a List A document even though employers will not see it listed as a List A document in the 11/91 versions of the Form I-9 and Handbook for Employers. For an undetermined transition period, the I-688B will continue to be issued in addition to the I-766. All I-688B EAD’s that are currently in circulation or may be issued in the future by INS will remain valid until their expiration dates.</p> <p>Since there is a direct relationship between an alien’s status and the type of document issued to him or her by the INS, employers may want to keep in mind that only aliens who check the “alien authorized to work until [inserted date]” box in I-9 Section 1 will be authorized to present an EAD for Section 2 purposes. Aliens whose status entitled them to this type of INS document will rarely, if ever, be eligible for unrestricted Social Security cards.</p>
Expiration	<p>EAD’s are valid for one year in almost all cases (in other cases, employers may wish to call the Employer Hotline for assistance). Similarly, the work authorization expiration date listed by an employee in I-9 Section 1 will in almost all cases be the expiration date of the EAD presented for Section 2 purposes. Although both of those expiration dates must be reverified, independently, in order for an employee to keep working lawfully, for practical purposes a new card with a new future expiration date means that work authorization has been extended. It is sufficient to describe the new document in Section 3 to reverify both Section 1 and Section 2 expiration dates.</p> <p>Employers should be aware that the processing of an individual’s application to INS for extended work authorization takes at least 90 days. An employee may not continue to work past the expiration date on his or her EAD until he receives a new EAD (unless another List A or C document can be presented). An INS form acknowledging receipt of an application for extended work authorization is not acceptable as documentation for continued work authorization, even for a temporary period.</p> <p>Note: Although an individual who is issued an EAD will in most cases not be eligible for other acceptable work authorization documents (such as unrestricted Social Security cards), it is important to note that, for reverification purposes, an employee is not required to show an extension of the document originally presented for Section 2 purposes. Any document that evidences current work authorization may be used.</p>

LIST A #4	UNEXPIRED FOREIGN PASSPORT, WITH I-551 STAMP OR ATTACHED INS FORM I-94 INDICATING UNEXPIRED WORK AUTHORIZATION
Common name	“I-94” or “Arrival-Departure Record”
Issued to	immigrants (including refugees) and nonimmigrants (temporary visitors, students, etc., or temporary employees such as specialty workers, intracompany transferees, treaty traders, diplomats, etc.) when they are admitted to the United States (US)
Key information	The INS Form I-94 is the Arrival-Departure Record that aliens receive and must retain with their passports (Canadians and Mexicans may not need passports). Upon admission into the US, these forms are stamped or marked with the arriving aliens’ immigration classification and with the period of authorized stay in the US under that classification. With some exceptions, aliens relinquish their I-94 forms when leaving the US and complete new forms upon re-entry. In order for this combination of documents to be acceptable as proof of work eligibility, the stamp or official information must specify that employment is authorized or indicate an unexpired nonimmigrant employee admission.
Expiration	<p>The I-551 stamp, which acknowledges an alien entering the US as a permanent resident, may contain an expiration date meant to be far enough in the future from the stamp date to allow the new immigrant enough time to receive a Resident Alien Card (“Green Card”). Although this stamp reflects an alien’s permanent resident status, it should be treated as a receipt and reverified (see Employer Bulletin 99-102).</p> <p>A stamp indicating a nonimmigrant admission means that the alien may work for the approved employer (and no other) until expiration of the indicated period of approved stay. Although the back of the Form I-94 should be completed to indicate employment restrictions for those aliens authorized to work temporarily only for a single employer, this is often not done. Employers should be aware that aliens with A, C, G, E, H, J, L, O, P, Q, R, and TN visas may work for them only if they petitioned the INS for their services, only after such petition is <u>approved</u>, and only until the period of admission/work authorization granted by the INS expires.</p>

List A #5	ALIEN REGISTRATION RECEIPT CARD OR PERMANENT RESIDENT CARD, INS FORM I-551, WITH PHOTOGRAPH
Common name	“Green Card” (<u>not</u> green in color)
Issued to	aliens granted lawful permanent residence in the US
Key information	<p>Three versions of the I-551 card are currently in circulation, known commonly as the “white card,” issued from 1977-89, the “pink card,” issued since 1989, and the permanent resident card, issued since mid-1998 (see depictions and descriptions of these cards in this bulletin). The pink and white I-551’s are labeled RESIDENT ALIEN on the front and “Alien Registration Receipt Card” on the back. The newer I-551, containing holograms and other security features and featuring a bright green title bar, is labeled “Permanent Resident Card.” NOTE: Form I-151 has not been acceptable for employment purposes since March 1996.</p> <p>Since there is a direct relationship between an alien’s status and the type of document issued to him or her by the INS, employers should know that only aliens who check the “Lawful Permanent Resident” box in Form I-9’s Section 1 will be authorized (not required) to present a “Green Card” for Section 2 purposes.</p>
Expiration	The “white” I-551 Card does not bear an expiration date. The “pink” I-551 Card and Permanent Resident Card are valid for either a 2-year (conditional resident) or 10-year (permanent resident) period. However, the expiration dates mean only that the cards must be replaced for travel and card security purposes (allowing INS to maintain a high standard of card technology and security). The status that entitles the alien to this type of card does not expire and therefore does not require reverification.

About Resident Alien (pink and white) Cards: common features	
photo	--individual’s right ear is exposed --surface is flat (color photo is embedded in card, i.e. edges are not raised to the touch)
alignment	--first letter of cardholder’s last name appears below “U” in US Department of Justice in blue header bar blueprinted over INS seal, first letters or digits in cardholder’s date of birth (DOB), Alien Number, and card’s expiration date (“pink” card only) are in vertical alignment
Printing	--high quality, with clear and distinct lettering --all information except signature is printed in identical font (style and intensity)
punctuation	--(applicable to double family names) Hispanic names are treated by the INS as father’s surname separated from mother’s surname with a hyphen, followed by mother’s surname separated from first name with a comma (example: Garcia-Lopez, Rosa)

I-551 (pink) Resident Alien Card	I-551 (white) Resident Alien Card
<p>color <u>front</u> -- pink background with header bar and INS seal in blue</p> <p><u>back</u> -- color gradually changes top to bottom from pink to blue (map of US in white between pink and blue areas);</p> <p>-- 3 lines of black machine readable printing appear at bottom of card against white background</p>	<p>color <u>front</u> -- white background with header bar and INS seal in blue</p> <p><u>back</u> -- title, standard codes, and descriptive terms appear in salmon-colored font (information does not vary from card to card);</p> <p>-- US map appears in white against pale greenish background;</p> <p>-- 3 lines of black machine-readable printed information correspond to salmon-colored codes (information printed in black varies according to cardholder and may differ from card to card)</p>
<p>pattern</p> <p><u>front</u> -- repeated “I-551” visible in blue when card is tilted under normal light</p> <p><u>front and back</u> -- repeated “USA” across colored portion of card (behind map on back)</p>	<p>pattern</p> <p><u>front</u> -- salmon-colored wavy lines cover the surface, including photo area, in unbroken pattern</p>
<p>edges -- edges of plastic laminate are striated i.e. “crimped” so that they feel ridged to the touch</p>	<p>edges -- edges of plastic laminate are clear (or clouded with age);</p> <p>-- feel smooth to the touch</p>